



Northern Region Review

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This publication provides current information on environmental activities and events relevant to U.S. Army interests in the 22 States and Territories in Federal Regions I, II, III and V. The Review is intended to be a tool useful to Department of Defense and Army environmental decision makers, planners, and program managers in carrying out their responsibilities.

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Office of the President News

Executive Order 13123

GREENING THE GOVERNMENT THROUGH EFFICIENT ENERGY

President Bill Clinton has signed Executive Order 13123 (E.O. 13123), entitled: Greening the Government Through Efficient Energy. The E.O. directs federal agencies to cut emissions by 30 percent below 1990 levels by 2010. The order also calls for the federal government to cut its energy use by 35 percent below 1985 levels by 2020 — thereby expanding the current goal of a 30 percent drop in energy consumption by 2005. Federal industrial and laboratory facilities must reduce energy consumption 20 percent by 2005 and 25 percent by 2010 relative to 1990. Federal agencies must also strive to expand the use of renewable energy by implementing renewable energy projects and by purchasing electricity from renewable energy sources. The federal government will strive to install 2,000 solar energy systems at federal facilities by the end of 2000, and 20,000 solar energy systems by 2010. The E.O. also calls on reductions in the use of petroleum by switching to a less greenhouse gas-intensive, nonpetroleum energy source, such as natural gas or renewable energy sources; by eliminating unnecessary fuel use; or by other appropriate methods. Federal agencies must also reduce water consumption. Water conservation goals for federal agencies will be established within the next year by the Secretary of Energy in collaboration with other agency heads. The E.O. was signed by the President on 3 June 1999 and was published in the 8 June 1999 *Federal Register* (64 FR 30851).

U.S. Environmental Protection Agency News

Air Emissions Management

SECTION 126 PETITIONS FOR PURPOSES OF REDUCING INTERSTATE OZONE TRANSPORT

The U.S. Environmental Protection Agency (EPA) has adopted regulations under 40 CFR 52, Subpart A, and Appendix F for the purpose of taking action on petitions submitted by eight Northeastern states (Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, Pennsylvania, and Vermont) to mitigate significant transport of nitrogen

oxides across state boundaries pursuant to CAA section 126. In addition, the rule: (1) approves and denies portions of the petitions pending certain actions by the states in response to the final nitrogen oxides SIP call; (2) makes technical corrections to the table and the text; (3) describes the schedule and conditions under which applicable final findings on the petitions would be automatically triggered; (4) implements a control remedy through a federal NOx budget trading program; and (5) outlines parameters of the trading program. The final rule was published in the 25 May 1999 *Federal Register* (64 FR 28250). For further information contact: Carla Oldham, EPA, Office of Air Quality Planning and Standards, (919) 541-3347, e-mail: oldham.carla@epa.gov.

PRODUCTION AND CONSUMPTION ALLOWANCES FOR METHYL BROMIDE The U.S. Environmental Protection Agency (EPA) has amended CAA regulations concerning the production and consumption of ozone-depleting substances. The action establishes a 25 percent reduction in 1991 baseline production and consumption allowances for methyl bromide (class I, Group VI controlled substance) for the 1999 and 2000 control periods. Through subsequent actions, the EPA intends to take the following steps toward phaseout of the production and consumption of methyl bromide: (1) beginning 1 January 2001, a 50 percent reduction in baseline levels; (2) beginning 1 January 2003, a 70 percent reduction in baseline levels; (3) beginning 1 January 2005, a complete phaseout of production and consumption with processes for special ex-

emptions permitted under the Montreal Protocol. Also, in the coming months, EPA plans to publish a proposal that will define the process for exempting quantities of methyl bromide used for quarantine and preshipment from the phaseout schedule. The final rule was published in the 1 June 1999 *Federal Register* (64 FR 29240). For further information contact: EPA's Stratospheric Ozone Protection Hotline, 1-800-269-1996 or Tom Land, EPA, Stratospheric Protection Division, (202) 564-9185.

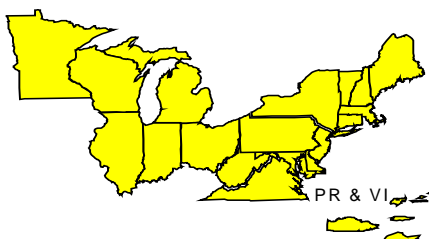
RECONSIDERATION OF THE 610 NONESSENTIAL PRODUCTS BAN

The U.S. Environmental Protection Agency (EPA) is proposing to include additional products and eliminate exemptions concerning the ban on Class I ozone-depleting substances. The products affected by this rulemaking include: aerosol products, pressurized dispensers, plastic foam products, and air-conditioning and refrigeration products that contain or are manufactured with chlorofluorocarbons. The proposed rule was published in the 14 June 1999 *Federal Register* (64 FR 31772). Comments are due 13 August 1999. For further information contact: the Stratospheric Ozone Information Hotline at 1-800-296-1996 or Cindy Newberg, EPA, Office of Air and Radiation, (202) 564-9729.

Emergency Planning

EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW GUIDANCE DOCUMENTS

The U.S. Environmental Protection Agency (EPA) has made available: (1) the 1998 "Emergency Planning and Community Right-to-Know Act (EPCRA) Section 313 Questions and Answers Document;" (2) the 1998 "EPCRA Section 313 Questions and Answers Crosswalks Document;" (3) the "Toxic Chemical Release Inventory Reporting Forms and Instructions: Revised 1998 Version Crosswalks Document." Also, the agency has updated the following guidance documents specific to the seven industries recently added to the list of industrial sectors covered by EPCRA section 313 and section 6607 of the Pollution Prevention Act: (1) "Section 313 Emergency Planning and Community Right-to-Know Act Guidance Doc-



SUBMISSIONS

To The Northern Region Review

We encourage feedback, and welcome suggestions for expanded or improved coverage. Please contact us at:

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Past and current issues of the Northern Region Review (formerly the Regional Update) can be found on the Army Environmental Center's web site at <http://aec.army.mil>. Look under Regional Offices.

ument for Metal Mining Facilities" (EPA 745-B-99-001); (2) "Section 313 Emergency Planning and Community Right-to-Know Act Guidance Document for Coal Mining Facilities" (EPA 745-B-99-002); (3) "Section 313 Emergency Planning and Community Right-to-Know Act Guidance Document for Electricity Generating Facilities" (EPA 745-B-99-003); (4) "Section 313 Emergency Planning and Community Right-to-Know Act Guidance Document for RCRA Subtitle C TSD Facilities and Solvent Recovery Facilities" (EPA 745-B-99-004); (5) "Section 313 Emergency Planning and Community Right-to-Know Act Guidance Document for Chemical Distribution Facilities" (EPA 745-B-99-005); and (6) "Section 313 Emergency Planning and Community Right-to-Know Act Guidance Document for Petroleum Bulk Facilities" (EPA 745-B-99-006). The revised 1998 "EPCRA Section 313 Questions and Answers Document" and the six new industry guidance documents are effective beginning with the 1999 reporting year. However, to ensure consistency in reporting and the integrity of the data, the agency would prefer that covered facilities use these documents as guidance for the 1998 reporting year as well. Copies of these documents are available on the Internet at <http://www.epa.gov/opptintr/tri/> or by contacting the National Center for Environmental Publications and Information (NCEPI), P.O. Box 42419, Cincinnati, OH 45242-2419. The notice of availability was published in the 16 June 1999 *Federal Register* (64 FR 32232). For questions related to the Questions and Answers document, its Crosswalks document or the Forms and Instructions Crosswalks document contact: Sara Hisel McCoy, EPA, (202) 260-7937, e-mail: hisel-mccoy.sara@epa.gov. For further information regarding the industry-specific guidance documents contact: Velu Senthil, EPA, (202) 260-3943, e-mail: senthil.velu@epa.gov. For additional information concerning EPCRA section 313 contact EPA's Emergency Planning and Community Right-to-Know Hotline at: 1-800-535-0202, (703) 412-9877 in Virginia and Alaska.

Solid Waste Management

SOLID WASTE MANAGEMENT GUIDELINES FOR BEVERAGE CONTAINERS The U.S. Environmental Protection Agency (EPA) has removed 40 CFR part 244, Solid Waste Management Guidelines for Beverage Containers, from the Code of Federal Regulations (CFR). The guidelines were intended to achieve a reduction in beverage container solid waste and litter, resulting in savings in waste collection and disposal costs to federal facilities. Activities addressed in these guidelines are obsolete and have been included in numerous state and local statutes and regulations and other federal rules, or have been superseded by such Presidential actions as Executive Order 12873 as amended by Executive Order 13101, and will have no measurable impact on solid waste management. The final rule was published in the 17 June 1999 *Federal Register* (64 FR 32436). For further information contact: Deborah Gallman, EPA, Office of Solid Waste and Emergency Response, (703) 308-7276.

RESOURCE CONSERVATION AND RECOVERY ACT (RCRA) RECORDKEEPING AND REPORTING REQUIREMENTS The U.S. Environmental Protection Agency (EPA) is soliciting comment on ways to reduce the recordkeeping and reporting requirements under the RCRA. The agency is seeking ways to reduce recordkeeping and reporting burden by 40 percent to meet the federal government-wide goal established by the Paperwork Reduction Act (PRA). The notice of data availability and request for comment was published in the 18 June 1999 *Federal Register* (64 FR 32859). Comments must be received by 20 September 1999. For further information contact EPA's RCRA Hotline at: 1-800-424-9346, (703) 412-9810 in the Washington Metropolitan Area.

Test Methods

MEASUREMENT OF MERCURY IN WATER (EPA METHOD 1631, REVISION B) The U.S. Environmental Protection Agency (EPA) has amended the "Guidelines Establishing Test Procedures for the Analysis of Pollutants" by adding EPA Method 1631, Revision B: Mercury in Water by Oxidation, Purge and Trap, and Cold Vapor Atomic Fluorescence Spectrometry. The changes increase measurement reliability at water quality criteria (WQC) levels. Use of EPA Method 1631 may be specified by a permitting authority when a NPDES permit is modified or reissued. The agency does not intend for Method 1631 to be a replacement for Method 245.1 or any of the other EPA-approved methods for measuring mercury concentrations; rather, the method is to be used when measurement of mercury at very low levels is required. Copies of EPA Method 1631 may be obtained by contacting the National Technical Information Service (NTIS) at 1-800-553-6847 or (703) 605-6000. The NTIS publication number is PB99-131989. An electronic version of EPA Method 1631 is available on the Internet at <http://www.epa.gov/OST/Methods/>. The final rule was published in the 8 June 1999 *Federal Register* (64 FR 30417). For further information contact: Maria Gomez-Taylor, EPA, Engineering and Analysis Division, (202) 260-1639.

Toxic Substances Management

RECORDKEEPING REQUIREMENTS FOR LOW VOLUME EXEMPTION AND LOW RELEASE AND EXPOSURE EXEMPTION

The U.S. Environmental Protection Agency (EPA) has re-established recordkeeping requirements that were inadvertently deleted from the Low Volume Exemption (LVE) and Low Release and Exposure Exemption (LOREX) rule. The rule provides an exemption from the pre-manufacture notice (PMN) requirement under section 5 of the Toxic Substances Control Act (TSCA). You may be affected by this action if you manufacture (defined by statute to include import) chemical substances or if you submit or have submitted, on or after 30 May 1995, a LVE or LOREX notice to the EPA. The final rule was published in the 15 June 1999 *Federal Register* (64 FR 31987). For technical information contact: Roy Seidenstein, EPA, Chemical Control Division, Office of Pollution Prevention and Toxics, (202) 260-2252, fax (202) 260-0118, e-mail: seidenstein.roy@epa.gov. For general information contact: Joseph Carra, EPA, Environmental Assistance Division, Office of Pollution Prevention and Toxics, (202) 554-1404, e-mail: TSCA-Hotline@epamail.epa.gov.

ADVISORY COUNCIL ON HISTORIC PRESERVATION NEWS

PROTECTION OF HISTORIC PROPERTIES The Advisory Council on Historic Preservation (ACHP) has issued revised regulations implementing Section 106 of the National Historic Preservation Act (NHPA) which spells out the federal government's protective process of the nation's historic properties. Section 106 states that federal agencies must take into account the effects of their actions on historic properties, and provide the ACHP an opportunity to comment on such actions. The revised regulation is intended to better balance the interests and concerns of various users of the Section 106 process, including federal agencies, State Historic Preservation Officers (SHPOs), Tribal Historic Preservation Officer (THPOs), Native Americans and Native Hawaiians, industry and the public. The final rule was published in the 18 May 1999 *Federal Register* (64 FR 27044). For further information contact: Karen Theimer, U.S. Army Environmental Center, (410) 436-1575, DSN 584, e-mail: karen.theimer@aec.apgea.army.mil, or visit the ACHP home page at <http://www.achp.gov/>.

MEETINGS, WORKSHOPS AND CONFERENCES

WATER REUSE 2000 The U.S. Environmental Protection Agency (EPA) is cosponsoring Water Reuse 2000, on 30 January-2 February 2000, in San Antonio, Texas. Abstracts are being solicited to cover all aspects of water reuse, including: (1) agricultural reuse applications; (2) dual distribution system design and operation; (3) cross-connection control; (4) disinfection; (5) public outreach and education; (6) environmental enhancement through reuse; (7) health effects and risk assessment; (8) industrial reuse applications; (9) indirect potable reuse; (10) urban irrigation applications; (11) golf courses and parks; (12) regional program planning; (13) project economics, pricing, and financing, rate setting and capital funding; (14) regulatory and institutional issues; (15) research projects; (16) reclaimed water treatment technologies; (17) innovative urban reuse applications; (18) toilets, car washes and graywater systems; and (19) water quality issues. For further information contact: Lynda Pumpfrey, (303) 347-6203, e-mail: lpumpfre@awwa.org. Information also can be obtained from the Internet at <http://www.awwa.org/00reuse/call/overview.htm>.

Region I

**Connecticut, Maine, Massachusetts, New Hampshire,
Rhode Island And Vermont**

MASSACHUSETTS

Air Emissions Management

NITROGEN OXIDES (NO_x) BUDGET AND ALLOWANCE TRADING PROGRAM The U.S. Environmental Protection Agency (EPA) has approved: (1) Massachusetts' regulation 310 CMR 7.27, "NO_x Allowance Program;" and (2) Rhode Island's Regulation No. 38, "Nitrogen oxides Allowance Program." Both regulations are part of a regional NO_x reduction program designed to reduce stationary source NO_x emissions during the ozone season in the Ozone Transport Region (OTR) of the northeastern United States. The proposed (64 FR 29616) and direct final (64 FR

29567) rules were published in the 2 June 1999 *Federal Register*. Unless EPA receives adverse comments, the effective date is 2 August 1999. For further information contact: Steven Rapp, EPA Region I, (617) 918-1048, e-mail: rapp.steve@epamail.epa.gov.

RHODE ISLAND

Air Emissions Management

NITROGEN OXIDES (NOx) BUDGET AND ALLOWANCE TRADING PROGRAM See Air Emissions Management under Massachusetts.

VERMONT

Water Quality Management

STANDARDS TO BE USED IN WATERSHED-BASED DECISIONS The Vermont Water Resources Board has revised the state's water quality standards while the Agency of Natural Resources (ANR) has, at the same time, pledged to engage in a long-deferred watershed planning effort based on some of those revisions. The revised standards: (1) encourage the development of watershed basin plans; (2) put more emphasis on the development of biologically-based criteria; (3) require ANR to adopt a sampling procedure for evaluating nonpoint source waste discharges; (4) exempt certain off-stream reservoirs from compliance with criteria affected by water level fluctuations; (5) distinguish between Class A waters managed for public water supply and Class A waters to be retained in a "natural-like" condition; and (6) call for creation of three gradations of the Class B waters: B1, B2 and B3. B1 would be the most protective and B3 the least. The effective date is 2 July 2000. The text of the water quality standards is available on the Internet at <http://www.state.vt.us/wtrboard/july2000wqs.htm>.

Region II

**New Jersey, New York, Puerto Rico
And the Virgin Islands**

MESSAGE FROM THE REGION I/II REC

U.S. ORDERED TO PAY NEW YORK \$2.3 MILLION IN ENVIRONMENTAL FEES On 2 June 1999 the U.S. District Court for Northern New York (New York State Department of Environmental Conservation v. U.S. Department of Energy, N.D.N.Y., No. 89-CV-194-197) ordered the federal government to pay New York state \$2.3 million in environmental fees for 10 facilities in the state (Sage Military Complex, Fort Drum, Seneca Army Depot, Griffiss Air Force Base, Watervliet Arsenal, Plattsburgh Air Force base, Brookhaven National Laboratories, Knolls Atomic Power Laboratory/Kesselring, and the U.S. Military Academy). The court denied the federal government's applications for further discovery, severance, and an evidentiary hearing. The fees are assessed by the state Department of Environmental Conservation on all facilities that discharge air or water pollution or generate hazardous waste and are used to fund environmental oversight, analysis, and monitoring programs. According to New York Attorney General Eliot Spitzer (D), "like privately owned plants and factories, these federal facilities must abide by all of the state's laws and regulations." What this means is that DOD is not exempt from environmental fees imposed by New York State; the impact for which will most likely be a new funding requirement for these programs.

NEW JERSEY HAZARDOUS WASTE PROGRAM I was recently queried about the status of New Jersey's delegation of authority for its hazardous waste program. Last year, the New Jersey Department of Environmental Protection (DEP) had amended its hazardous waste regulation — in doing so, the department changed chapter lettering which had raised questions whether or not the U.S. Environmental Protection Agency (EPA) had approved the new regulation as re-lettered. This question caused the state to re-apply for delegation of authority. EPA published a notice in the 11 May 1999 *Federal Register* (64 FR 25258) proposing to approve New Jersey's application to be delegated

the authority to administer the state's hazardous waste program. The legal questions that this re-lettering raised vis-a-vis delegation authority are expected to be corrected when EPA approves New Jersey's application in July or August 1999.

- Bob Muhly
Army REC, Regions I & II

NEW JERSEY

Waste Water Management

INDIVIDUAL SUBSURFACE SEWAGE DISPOSAL SYSTEMS The Department of Environmental Protection (DEP) is proposing to readopt regulations under NJAC 7:9A concerning the design, location, construction, installation, alteration, and repair of individual subsurface sewage disposal systems. The rulemaking would: (1) clarify existing provisions; (2) make technical corrections; and (3) eliminate outdated deadline requirements. For further information contact: Janis Hoagland, DEP, Office of Legal Affairs, (609) 292-0716.

Water Quality Management

WATER QUALITY MANAGEMENT PLAN The Department of Environmental Protection (DEP), Division of Watershed Management, has amended: (1) the Monmouth County water quality management plan for Manalapan and Marlboro townships; and (2) the Monmouth County water quality management plan for Millstone Township. Also, the department intends to amend the Monmouth County water quality management plan for Colts Neck Township. For further information contact: DEP, Division of Watershed Management, (609) 984-6888.

NEW YORK

Hazardous Substance Management

NEW YORK ASSEMBLY BILL 5679 - HAZARDOUS SUBSTANCE STORAGE FACILITIES New York Assembly Bill 5679 has been referred to the Committee on Environmental Conservation. The bill would amend the environmental conservation law in relation to hazardous substance storage facilities. More specifically, the bill would require any person storing a hazardous substance to furnish the department with information on the storage facility, repairs or replacements, hazardous substances stored, storage and handling practices, or results of tests, monitoring and inspections. For further information contact: Bob Muhly, NREO Region I/II REC, (410) 436-7101, DSN 584, e-mail: robert.muhly@aec.apgea.army.mil.

Universal Waste Management

NEW YORK ASSEMBLY BILL 8327 - UNIVERSAL WASTES New York Assembly Bill 8327 has been referred to the Committee on Environmental Conservation. The bill would : (1) prohibit special assessments on the generation of universal wastes; and (2) prevent the commissioner from adopting a definition of universal waste which is more expansive than the definition promulgated by the U.S. EPA. For further information contact: Bob Muhly, NREO Region I/II REC, (410) 436-7101, DSN 584, e-mail: robert.muhly@aec.apgea.army.mil.

Region III

Delaware, Maryland, Pennsylvania, Virginia, West Virginia
and the District of Columbia

DELAWARE

Air Emissions Management

MOTOR VEHICLE EMISSIONS The Department of Natural Resource and Environmental Control (DNREC), Division of Air and Waste Management, has amended Regulation No. 31 concerning low enhanced motor vehicle inspection and maintenance emission tests. The action: (1) revises performance standard modeling to reflect changes in the new

idle test procedure; (2) extends the new model year exemption for the exhaust idle test from three years to five years; (3) revises the procedure of the exhaust idle test for model year vehicles 1981 and newer; (4) specifies the dynamometer procedure as the method for evaluating the inspection and maintenance program; (5) adds a "clean screening" exemption for certain vehicles normally required to be tested, when those vehicles are at an inspection facility and the wait time for vehicles at the end of the testing queue is 60 minutes or longer. For further information contact: Philip Wheeler, DNREC, Division of Air and Waste Management, (302) 739-4791.

DISTRICT OF COLUMBIA

Solid Waste Management

SOLID WASTE FACILITIES The Council of the District of Columbia has adopted the Solid Waste Facility Permit Temporary Amendment Act of 1999. The law amends the Solid Waste Facility Permit Act of 1998 and: (1) requires a compliance hearing prior to closing a solid waste facility; (2) allows a summary closing, with the opportunity for a post-closing hearing, where the facility poses an immediate threat to public health, safety, and welfare to citizens and the environment; and (3) clarifies that rules of the court govern in cases of contempt. The law also amends the Solid Waste Facility Permit Act of 1995 and: (1) mandates the revocation or suspension of interim or permanent, renewed, or modified solid waste permits where the mayor determines that the facility is a public nuisance; (2) allows a summary closing, with the opportunity for a post-closing hearing, where the facility poses an imminent threat to public health, safety, and welfare of the environment; (3) clarifies that rules of the court govern in cases of contempt; (4) clarifies the mayor's authority to promulgate fines for violations of this act subject to council review; and (5) ratifies the schedule of fines under 21 DCMR 7 for violations of the act. For further information contact: Council of the District of Columbia, (202) 724-8050.

MARYLAND

Health & Safety

RADIATION PROTECTION The Department of the Environment has amended regulations under COMAR 26.12.01.01 concerning radiation protection. The action: (1) revises certain provisions within the document "Regulations for the Control of Ionizing Radiation (1994)" to conform to federal standards; and (2) requires individuals servicing X-ray machines to meet performance standards under COMAR 26.12.01.01F entitled, "X-rays in the Healing Arts." For further information contact: Deanna Miles-Brown, Department of the Environment, (410) 631-3173.

PENNSYLVANIA

Water Quality Management

TECHNICAL GUIDANCE DOCUMENTS The Department of Environmental Protection (DEP) has issued two final draft technical guidance documents concerning: (1) field data collection and evaluation protocol for determining stream and point source discharge design hardness; and (2) the determination and use of background/ambient water quality in the determination of wasteload allocations and NPDES effluent limitations for toxic substances. For further information contact: Chuck Yingling, DEP, (717) 787-9633.

WEST VIRGINIA

Air Emissions Management

AMBIENT AIR QUALITY STANDARDS The Division of Environmental Protection (DEP), Office of Air Quality, has amended regulations under 45 WVCSR 8 and 9. The action revises provisions concerning ambient air quality standards for sulfur oxides, particulate matter, carbon monoxide and ozone. The effective date is 30 August 1999. For further information contact: John Johnston, DEP, Office of Air Quality, (304) 558-2496.

NEW SOURCE PERFORMANCE STANDARDS - ACID RAIN/PERMITS - HAZARDOUS AIR POLLUTANTS The Division of Environmental Protection (DEP), Office of Air Quality, has amended regulations under 45 WVCSR 16, 33 and 34. The action (1) incorporates new source performance standards under 40 CFR 60; (2) implements federal acid

rain standards and permit requirements; and (3) incorporates by reference federal standards under 40 CFR affecting additional sources. For further information contact: John Johnston, DEP, Office of Air Quality (304) 558-2496.

HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS The Division of Environmental Protection (DEP), Office of Air Quality, has amended regulations under 45 WVCSR 24. The action establishes requirements for the prevention and control of emissions from hospital/medical/infectious waste incinerators. For further information contact: John Johnston, DEP, Office of Air Quality, (304) 558-2496.

HAZARDOUS WASTE FACILITIES The Division of Environmental Protection (DEP), Office of Air Quality, has amended regulations under 45 WVCSR 25. The action establishes requirements for the prevention and control of air pollution from hazardous waste treatment, storage, or disposal facilities. For further information contact: John Johnston, DEP, Office of Air Quality, (304) 558-2496.

Drinking Water Management

PUBLIC WATER SYSTEMS The Department of Health and Human Resources (DHHR), Division of Health, has amended regulations under 64 WVCSR 3 concerning public water systems. The action: (1) incorporates by reference new federal standards for drinking water certification; (2) allows the approval of laboratories recognized for drinking water examination by the national environmental laboratory accreditation program (NELAP); (3) allows the state to retain primacy for the federal Safe Drinking Water Act; and (4) assures compliance with federal and state regulations governing public water supplies. For further information contact: Marsha Dadisman, DHHR, Division of Health, (304) 558-3223.

Solid Waste Management

SOLID WASTE MANAGEMENT The Division of Environmental Protection (DEP) has amended numerous regulations under 33 WVCSR 1 concerning solid waste management. The action: (1) complies with 1998 legislation; (2) revises definitions; (3) clarifies requirements for solid waste facility permitting; (4) affects landfill performance standards; (5) updates provisions governing closure, post-closure care, and open dumps; (6) rennumbers various provisions; and (7) makes editorial corrections. For further information contact: DEP, Bureau of Environment, (304) 759-0515.

Water Quality Management

ANTIDegradation Implementation/Dissolved Metals Criteria The Environmental Quality Board (EQB) has amended regulations under 46 WVCSR 1. The action: (1) revises water quality standards by adding antidegradation implementation guidance procedures and dissolved metals criteria; and (2) incorporates federal requirements for agencies that are charged with implementing national discharge elimination system permit standards. For further information contact: EQB, (304) 558-4002.

Region V

**Illinois, Indiana, Michigan, Minnesota,
Ohio and Wisconsin**

ILLINOIS

Air Emissions Management

HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS The Pollution Control Board (PCB) has adopted regulations under a new Part 35 IAC 229. The action: (1) establishes emission control requirements from hospital, medical, and infectious waste incinerators where construction, reconstruction, or modification began on or before 20 June 1996; (2) requires such incinerators to meet specified emission limits for carbon monoxide, sulfur dioxide, nitrogen oxides, lead, cadmium, mercury, particulate matter, dioxin/furans, and hydrogen chloride; and (3) requires hospitals to develop and submit a waste management plan to the Illinois EPA. For further information contact: Dorothy Gunn, PCB, (312) 814-6931.

Solid Waste Management

NONHAZARDOUS SPECIAL WASTE HAULING The Pollution Control Board (PCB) has: (1) amended regulations under 35 IAC 809.101 through .701 (nonconsecutive); (2) adopted regulations under new Sections 89 IAC 809.104, .105, .212, and .910 through .921; and (3) repealed regulations under 35 IAC 809.601, .802, and Appendix A concerning the hauling of nonhazardous special wastes. The action conforms the existing program governing the transportation of nonhazardous special waste to the uniform program. For further information contact: Joel Sternstein, PCB, (312) 814-3665.

INDIANA

Air Emissions Management

COLD CLEANING SOLVENTS The Department of Environmental Management (DEM), Air Pollution Control Board, has amended regulations under 326 IAC 8-3-1 and adopted regulations under a new Section 326 IAC 8-3-8 concerning material and recordkeeping requirements for cold cleaning degreasers in Lake, Porter, Clark, and Floyd counties. The action: (1) establishes a vapor pressure limit for cold cleaning solvents; and (2) requires vendors to make available a solvent for use in degreasers with a vapor pressure at or below the specified limit and keep records of solvent purchases. For further information contact: Janet Perkowski, DEM, Office of Air Management, (317) 233-8628.

OZONE CONTROL MEASURES The Department of Environmental Management (DEM), Air Pollution Control Board, has amended regulations under 326 IAC 8-4-1, -10-1, and -10-3 concerning ozone control measures in Vanderburgh County. The action implements requirements for coating or surface operations. For further information contact: Patricia Daniel, DEM, Office of Air Management, (317) 233-0429.

Drinking Water Management

DRINKING WATER TESTING The Department of Environmental Management (DEM), Water Pollution Control Board, has amended regulations under 327 IAC 8-2-5.1 and -23. The purpose of the action is to provide consistency with federal requirements pertaining to drinking water sample collections for organic chemical testing (other than volatile organic compounds and total trihalomethanes). For further information contact: Stacy Jones, DEM, Office of Water Management, (317) 308-3292.

Hazardous Waste Management

SATELLITE ACCUMULATION BY GENERATORS The Department of Environmental Management (DEM) has issued a nonrule policy guidance document concerning the satellite accumulation of hazardous waste by generators. For further information contact: DEM, Office of Solid and Hazardous Waste Management, (317) 232-8971.

MICHIGAN

Air Emissions Management

EMISSION REDUCTION CREDIT TRADING The Department of Environmental Quality (DEQ), Air Quality Division, has amended regulations under MAC 336.2201 through .2218 (nonconsecutive) concerning emission averaging and emission reduction credit trading. The purpose of the rule is to obtain U.S. EPA approval of the state's emission trading rules. For further information contact: DEQ, Air Quality Division, (517) 373-7069.

Health & Safety

CONSTRUCTION SAFETY STANDARDS/SCAFFOLDS The Department of Consumer and Industry Services (DCIS) has: (1) amended regulations under MAC 408.41201 through 41264 (nonconsecutive); and (2) adopted regulations under new Sections MAC 408.41209 through .41256 (nonconsecutive) to revise construction safety standards for scaffolds and scaffold platforms. The action: (1) revises and adds definitions; (2) establishes training requirements; (3) modifies design and inspection standards; (4) prohibits work on scaffolds during certain weather conditions; (5) clarifies provisions governing guardrails, fall arrest devices, hoisting machines, and planking and scaffold platforms; (6) addresses protection from falling objects and criteria for suspension of scaffolds; (7) sets forth standards for various

scaffold types; and (8) adds a provision to set a maximum distance from platform to work face. For further information contact: Connie Munsch, DCIS, Safety Standards Division, (517) 322-1845.

CADMIUM The Department of Consumer and Industry Services (DCIS), Director's Office, has amended regulations under MAC 325.51852, .51862, .51863, and .51885 concerning occupational health standards for cadmium. The action: (1) updates the definition for "director;" (2) clarifies requirements for the provision of respirators; (3) adopts certain federal standards for respiratory protection programs under 29 CFR 1910.134(b) through (d), (4) establishes employer responsibilities regarding employees who exhibit breathing difficulties during fit testing or respirator use; (5) establishes prohibitions against respirator use; and (6) removes an existing reference to Appendix C. For further information contact: DCIS, Director's Office, (517) 373-6650.

PERSONAL PROTECTIVE EQUIPMENT The Department of Consumer and Industry Services (DCIS), Director's Office, has amended regulations under MAC 325.60005 concerning occupational health standards for personal protective equipment. The action clarifies hazardous assessment and equipment selection procedures for employers who cannot eliminate the presence of hazards in the workplace. For further information contact: DCIS, Director's Office, (517) 373-6650.

Solid Waste Management

SOLID WASTE MANAGEMENT PROGRAM The Department of Environmental Quality (DEQ), Waste Management Division, has amended regulations under MAC 299.4101 through .4922 (nonconsecutive). The action: (1) clarifies technical issues governing the state's solid waste management program; (2) makes provisions more consistent with related state and federal requirements; and (3) reduces unnecessary reporting obligations. For further information contact: Philip Roycraft, DEQ, (616) 775-3960.

MINNESOTA

Air Emissions Management

MISCELLANEOUS AIR QUALITY PROVISIONS The Pollution Control Agency (PCA), Air Quality Division, has amended regulations under MNR 7005, 7007, 7009, 7011, 7017, 7019, and 7025 governing definitions, permits, standards of performance, monitoring and testing, reporting, and lead paint removal. The action: (1) clarifies and streamlines requirements; (2) accounts for new technology and practices; (3) updates ambient air quality standards; (4) incorporates certain federal requirements, including compliance assurance monitoring and eligibility criteria for insignificant modifications; and (5) reflects changes to the federal standards of performance for new stationary sources and guidelines for the control of existing sources and municipal solid waste landfills. For further information contact: Mary Jean Fenske, PCA, Air Quality Division, (612) 297-5472.

OHIO

Air Emissions Management

VOLATILE ORGANIC COMPOUNDS The Ohio EPA (OEPA) has amended regulations under OAC 3745-21-01, -04, -07, -09, and -10. The action: (1) establishes new exemptions for source operations for volatile organic compounds (VOCs); (2) updates the definition of VOC to conform to U.S. EPA revisions; (3) modifies the exemption level; (4) adds a compliance deadline for miscellaneous metal parts coating lines; (5) adds two exemptions for solvent metal cleaning operations; (6) revises certain VOC limits; (7) adds U.S. EPA test methods and procedures for determining capture efficiency; (8) adds exemptions for foundry core-making and mold-making operations; and (9) deletes requirements for architectural coatings. For further information contact: OEPA, Division of Air Pollution Control, (614) 644-3020.

Emergency Response

EMERGENCY RESPONSE The State Emergency Response Commission has: (1) amended regulations under OAC 3750-25-01 through -50-15; and (2) adopted regulations under a new Section OAC 3750-30-11 concerning reporting by several facilities under one roof when the property is owned by persons other than those doing business at the site. The action: (1) affects facilities subject to emergency release notification requirements, hazardous chemical reporting requirements, facility identification requirements, material safety data sheets, emergency and hazardous chemical inventory forms, threshold quantities for reporting, and annual inventory filing fees and forms; and (2) revises

emergency planning and community right-to-know funds, the special emergency planning fund, first-time filer grant awards, grant applications, and reimbursement for costs incurred under OAC 3750. For further information contact: OEPA, Division of Emergency and Remedial Response, (614) 644-2081.

WISCONSIN

Air Emissions Management

PREVENTION OF SIGNIFICANT DETERIORATION (PSD) The U.S. Environmental Protection Agency (EPA) has approved revisions to Wisconsin's State Implementation Plan (SIP) concerning Prevention of Significant Deterioration (PSD) rules, Natural Resources (NR) 405.01 through NR 405.17. The revisions are intended to: (1) establish PM-10 as the basis for determining particle concentrations for permitting purposes under the PSD program; (2) correct errors in content and style; (3) improve consistency; and (4) clarify existing policy and procedures. The notice of final rulemaking was published in the 27 May 1999 *Federal Register* (64 FR 28745). For further information contact: Constantine Blathras, EPA Region V, (312) 886-0671.

Drinking Water Management

PUBLIC DRINKING WATER SYSTEMS The Department of Natural Resources (DNR) has amended regulations under WAC NR 809, Subchapter VIII. The action: (1) adds capacity development requirements for public drinking water systems to conform with the 1996 amendments to the federal Safe Drinking Water Act; (2) allows the department to implement a program to review technical, financial, and managerial capacities at new nontransient, noncommunity, and community water systems; and (3) provides a screening process for departmental review of system capacity evaluations prior to construction. For further information contact: Lee Boushon, DNR, Bureau of Drinking Water and Groundwater, (608) 266-0857.

★ INTERNET RESOURCES ★

FEDERAL SOURCES

- U.S. AEC <http://aec.army.mil>
- U.S. EPA <http://www.epa.gov/>
 - REGION I <http://www.epa.gov/region01/>
 - REGION II <http://www.epa.gov/Region2/>
 - REGION III <http://www.epa.gov/region03/index.htm>
 - REGION V <http://www.epa.gov/Region5/>
- USDA <http://www.usda.gov/>
- DOI <http://www.doi.gov/>
- FEDERAL REGISTER http://www.access.gpo.gov/su_docs/aces/aces140.html
 - TABLE OF CONTENTS http://www.access.gpo.gov/su_docs/aces/fr-cont.html
- CODE OF FEDERAL REGULATIONS <http://www.access.gpo.gov/nara/cfr/cfr-table-search.html>
- ILLINOIS <http://www.state.il.us/>
- INDIANA <http://www.state.in.us/>
- MAINE <http://janus.state.me.us/homepage.asp>
- MARYLAND <http://www.mec.state.md.us/>
- MASS. <http://www.magnet.state.ma.us/massgov.htm>
- MICHIGAN <http://www.migov.state.mi.us/>
- MINNESOTA <http://www.state.mn.us/>
- NEW HAMPSHIRE <http://www.state.nh.us/>
- NEW JERSEY <http://www.state.nj.us/>
- NEW YORK <http://www.nysl.nysed.gov/ils/>
- OHIO <http://www.state.oh.us/>
- PENNSYLVANIA <http://www.state.pa.us/>
- PUERTO RICO <http://fortaleza.govpr.org/ingles/pris.htm>
- RHODE ISLAND <http://www.state.ri.us/>
- VERMONT <http://www.cit.state.vt.us/>
- VIRGIN ISLANDS <http://www.gov.vi/>
- VIRGINIA <http://www.state.va.us/>
- WEST VIRGINIA <http://www.state.wv.us/>
- WISCONSIN <http://www.state.wi.us/>

STATE/TERRITORY SOURCES

- CONNECTICUT <http://www.state.ct.us/>
- DELAWARE <http://www.state.de.us/>
- DISTRICT OF COLUMBIA <http://www.dchomepage.net/>

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